

7jgmtwoh (7/12)

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI**

***In Re:*** Robert Lee McIntyre and Edna Christine McIntyre ***Bankruptcy Case No.***  
***Debtor*** 00-40569-drd7

**Gary D. Barnes** ***Adversary Case No.***  
Plaintiff(s) 14-04119-drd

v.

**Edna Christine McIntyre**  
**Christy McIntyre**  
**Frank McIntyre**  
**Marcellus Lewis**  
**Mike Watson**  
**Maurice Watson**  
**Marcus Watson**  
Defendant(s)

**JUDGMENT**

The issues of this proceeding having been duly considered by the Honorable Dennis R. Dow , United States Bankruptcy Judge, and a decision having been reached without trial or hearing.

***IT IS ORDERED AND ADJUDGED:*** As to Count I of the Complaint, that (i) the Pre-Petition Settlement Amount (\$6,518.39) constitutes property of the bankruptcy estate; and (ii) the Trustee is entitled to administer such funds on behalf of the bankruptcy estate. As to Count II of the Complaint, that (i) the Post-Petition Settlement Amount is property of Defendant Edna; (ii) the Trustee is authorized to pay the Post-Petition Settlement Amount to Defendant Edna; (iii) the Trustee is discharged from any and all liability to the Defendants and their respective heirs, representatives, and assigns which arise out of or result from any claim to the Post-Petition Settlement Amount; and (iv) for such other and further relief as the Court deems just and proper. As to Count III of the Complaint, that (i) the Estates Share of any Potential Subsequent Payments is property of this bankruptcy estate pursuant to 11 U.S.C. § 541; (ii) any Potential Subsequent Payments shall be distributed as follows: 46.6% to the bankruptcy estate and 53.4% to Defendant Edna; (iii) the Trustee is discharged from any and all liability to defendants and their respective heirs, representatives, and assigns which arise out of or result from any claim to the Potential Subsequent Payments; and (iv) for such other and further relief the Court deems just and proper. As to Count IV of the Complaint, that (i) the Trustees attorneys fees and expenses, as may be approved by this Court, shall be assessed against the Settlement Amount and Potential Subsequent Payments in proportion to the parties interest in the funds, 46.6% against to Estates interest and 53.4% against Defendant Ednas interest; (ii) the Trustee is authorized to file a separate motion requesting said fees and expenses; (iii) the Post-Petition Settlement Amount should not be distributed until a pro rata share of approved fees and expenses have been assessed against the Post-Petition Settlement amount.

Ann Thompson  
Court Executive

By: /s/ Kim McClanahan  
Deputy Clerk



Date of issuance: 12/30/14

Court to serve